

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

MARK MARCUCILLI,

Plaintiff,

CIVIL ACTION NO. 04-CV-40244-FL

vs.

DISTRICT JUDGE PAUL V. GADOLA

AMERICAN AIRLINES, INC.,  
TRANSPORT WORKERS UNION  
LOCAL 521, TRANSPORT WORKERS  
UNION OF AMERICA– AIR TRANSPORT  
DIVISION,

MAGISTRATE JUDGE MONA K. MAJZOUN

Defendants.

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**ORDER DENYING DEFENDANT AMERICAN AIRLINE'S  
MOTION TO STAY DISCOVERY (DOCKET # 33)**

Before the Court is Defendant American Airline's (AA) Motion to Stay Discovery. In its motion, AA argued that discovery should be stayed until the Court has ruled on Defendants' Motions to Dismiss and for Summary Judgment. On October 3, 2005, the undersigned issued a Report and Recommendation recommending that Defendants' dispositive motions be denied. Specifically, the undersigned concluded that there were genuine issues of material fact not appropriate for summary judgment and that Defendants' dispositive motions were premature in light of the fact that Plaintiff has not yet been afforded any discovery. Given the undersigned's recent Report and Recommendation, Defendant AA's Motion to Stay Discovery is **DENIED**.

**IT IS SO ORDERED.**

Pursuant to Fed. R. Civ. P. 72(a), the parties have a period of ten days from the date of this Order within which to file any written appeal to the District Judge as may be permissible under 28 U.S.C. 636(b)(1).

Dated: October 5, 2005

s/ Mona K. Majzoub  
MONA K. MAJZOUB  
UNITED STATES MAGISTRATE JUDGE

**Proof of Service**

I hereby certify that a copy of this Order was served upon Counsel of Record on this date.

Dated: October, 5, 2005

s/ Lisa C. Bartlett  
Courtroom Deputy